

HAMILTON COUNTY BOARD OF COMMISSIONERS

JULY 23, 2001

The Hamilton County Board of Commissioners met on Monday, July 23, 2001 in the Commissioners Courtroom in the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session from 12:15 pm to 12:35 pm.

Board of Finance:

Dillinger called the July 23, 2001 meeting of the Hamilton County Board of Finance to order. A quorum was present of Commissioner Sharon R. Clark, Commissioner Steven C. Dillinger and Sally Wilson, Hamilton County Treasurer. Ms. Wilson presented the Quarterly Investment Report. Clark motioned to accept the Quarterly Investment Report as presented. Dillinger seconded. Motion carried unanimously. Ms. Wilson stated she will present the Semi-Annual Investment Report at the August 27, 2001 meeting. Clark motioned to adjourn the Board of Finance meeting. Dillinger seconded. Motion carried unanimously.

Board of Commissioners Public Meeting:

President Dillinger called to order the July 23, 2001 Hamilton County Board of Commissioners meeting. A quorum was declared present of Commissioner Steven C. Dillinger and Commissioner Sharon R. Clark. Commissioner Steven A. Holt was absent. The Pledge of Allegiance was recited by everyone.

Executive Session Memoranda:

Clark motioned to approve the Executive Session Memoranda of July 23, 2001. Dillinger seconded. Motion carried unanimously.

Approval of Minutes:

Clark motioned to approve the minutes of June 25, 2001. Dillinger seconded. Motion carried unanimously. Clark motioned to approve the minutes of the June 25, 2001 minutes of the Joint Meeting of the County Council and Board of Commissioners. Dillinger seconded. Motion carried unanimously. Clark motioned to approve the June 9, 2001 minutes. Dillinger seconded. Motion carried unanimously. Clark motioned to approve the July 16, 2001 minutes. Dillinger seconded. Motion carried unanimously.

Plat Approval: (Tape 1, #632)

North Haven Subdivision:

Clark motioned to approve the plat for North Haven Subdivision. Dillinger seconded. Motion carried unanimously.

Bid Opening:

Bridges #22 & #90 Asphalt Resurface:

Mr. Michael Howard opened the bids for Bridges #22 & #90 Asphalt Resurface. Form 96, Bid Bond, Financial Statement and Non-Collusion Affidavit are included unless otherwise specified. 1) Milestone Contractors - \$53,786.00. 2) Rieth-Riley - \$35,790.00. 3) Grady Brothers - \$58,000.00. 4) Calumet Asphalt - \$51,400.00. 5) E&B Paving - \$41,482.20. Mr. Howard recommended the bids be forwarded to the Highway Department for review and recommendation later in today's meeting. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Plat Approval:

Mayflower Park:

Mr. Trenton Newport, Crossroads Engineers, 3417 S. Sherman Dr., Beech Grove, IN requested approval of the plat for Mayflower Park. Clark motioned to approve the Mayflower Park plat. Dillinger seconded. Motion carried unanimously.

Highway Business: (Tape 1, #1030)

Acceptance of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested acceptance of Bonds/Letters of Credit for the Highway Department. 1) HCHD #B90-0015 - National Fire Insurance Company Rider to Bond #701178742 changing the executor to Indiana Bell Telephone Company AKA Ameritech Indiana and bond number to 137647544 to expire May 21, 2002. 2) HCHD #B91-0048 - Travelers Casualty and Surety Company Continuation Certificate to Bond No. 0275-1033-50590BCM-17 issued for Indiana Gas Company, Inc. dba Vectren Energy Delivery of Indiana, Inc. in the sum of \$25,000 to expire July 6, 2002. 3) HCHD #B93-0057 - Bond Safeguard Insurance Company Continuation Certificate to Bond No. 15-300864 issued for King Sol Duke dba Duke Plumbing Co., in the sum of \$25,000 to expire July 6, 2002. 4) HCHD #B98-0108 - Fidelity and Deposit Company Continuation Certificate Bond No. LPM 8078587 issued for Outside Services, Inc. in the sum of \$5,000 to expire July 15, 2002. 5) HCHD #B99-0087 - Fidelity and Deposit Company Continuation Certificate Bond No. LPM3902160201 issued for Wilfong Construction Co., Inc. in the sum of \$25,000 to expire July 20, 2002. 6) HCHD #B01-0086 - United Fire & Casualty Company Permit Bond No. 55-177885 issued for McLeod USA Incorporated in the sum of \$25,000 to expire October 26, 2002 and Rider dated June 1, 2001 changing expiration date to June 1, 2002. 7) HCHD #B01-0087 - American States Insurance Company Permit Bond No. 6036100 issued for G.M. Construction, Inc. in the sum of \$5,000 to expire July 5, 2002. 8) HCHD #B01-0088 - American States Insurance Company Permit Bond No. 6036101 issued for G.M. Construction, Inc. in the sum of \$5,000 to expire July 5, 2002. 9) HCHD #B01-0092 - Western Surety Company Permit Bond No. 69176607 issued for Acme Plumbing in the sum of \$5,000 to expire July 3, 2002. 10) HCHD #B01-0093 - Liberty Mutual Insurance Company Permit Bond No. 016-018-161 issued for MasTec North America, Inc. (formerly Cruz-Cell) in the sum of \$25,000 to expire July 5, 2002. (Replaces bond with Amwest). 11) HCHD #B01-0094 - Ohio Farmers Insurance Company Permit Bond No. 5785699 issued for Excavating Plus, Inc. dba R&R Excavating in the sum of \$25,000 to expire June 28, 2002. 12) HCHD #B01-0095 - Fidelity and Deposit Company Maintenance Bond No. 08505136 issued for Brenwick Development Company, Inc. in the sum of \$14,468 for streets in r/w (asphalt and curbs) in Section 8501 of the Village of West Clay to expire July 15, 2004. 13) HCHD #B01-0096 - Cincinnati Insurance Company Performance Bond issued for George R. Harvey and Sons, Inc. in the sum of \$264,805.90 for Bridge #66 to expire July 17, 2003. 14) HCHD #B01-0097 - Cincinnati Insurance Company Payment Bond issued for George R. Harvey and Sons, Inc. in the sum of \$264,805.90 for Bridge #66 to expire July 17, 2003. 15) HCHD #B01-0098 - Western Surety Company Permit Bond No. 69190395 issued for Thomas H. DeMunbrun in the sum of \$5,000 to r/w work to expire July 5, 2002. 16) HCHD #B01-0099 - Capital Indemnity Corporation Bond No. 784136 issued for Valenti-Held Contractor/Developer in the sum of \$25,000 to replace Amwest Annual Bond to expire 7/6/02. 17) HCHD #B01-0100 - Travelers Casualty and Surety Company Performance Bond #27 SB 103653914 issued for Rieth-Riley Construction, Inc. in the sum of \$66,600 for 96th Street median work to expire July 10, 2003. 18) HCHD #B01-0101 - Travelers Casualty and Surety Company Payment Bond #27 SB 103653914 issued for Rieth-Riley Construction, Inc. in the sum of \$66,600 for 96th Street Median Work to expire July 10, 2003. 19) HCHD #L01-0006 - First National Bank & Trust Letter of Credit 3411 issued for Westchase Development Company in the sum of \$1,000 for street signs in Westchase Subdivision to expire July 31, 2002. 20) HCHD #L01-0007 - First National Bank & Trust Letter of Credit No. 3409 issued for Westchase Development Company in the sum of \$12,400 for stone base in Westchase Subdivision to expire July 31, 2002. 21) HCHD #L01-0008 - First National Bank & Trust Letter of Credit No. 3408 issued for Westchase Development Company in the sum of \$74,260 for asphalt streets in Westchase Subdivision to expire July 31, 2002. 22) HCHD #L01-0009 - First National Bank & Trust Letter of Credit No. 3410 issued for Westchase Development Company in the sum of \$17,082 for curbs in Westchase Subdivision to expire July 31, 2002. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department:

Mr. Locke requested approval of the Release of Bonds/Letters of Credit for the Highway Department. 1) HCHD #B00-0093 - United States Fidelity and Guaranty Company Bond for Permit P2000438 issued for Milestone Contractors for a temporary drive at 15030 Cherry Tree Road in Noblesville Township. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Agreements:

Subdivision Inspections:

Bridge #203, Brookside Subdivision:

Mr. Locke requested approval of Subdivision Inspection Agreements, HCHD #A-01-0006, for Bridge #203 in Brookside Subdivision. This agreement is with the owner, Langston Development Company and the engineer, USI Consultants in an amount not to exceed \$7,900.00. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Ameritech Agreement - 96th Street:

Mr. Locke requested approval of an agreement with Ameritech, HCHD #M-01-0040, regarding Permit #P2000370. Ameritech placed a vault inside a proposed future right-of-way on 96th Street. Ameritech has agreed to relocate the vault at no additional costs to us in the future if the proposed future right-of-way does become right-of-way. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridges Engineering Agreement:

Mr. Locke requested approval of Engineering Agreement, HCHD #E-01-0018, for Bridge #2, Jerkwater Road over Pearce Ditch, Bridge #12, Horton Road over Prairie Creek, Bridge #49 - Anthony Road over Little Cicero Creek, Bridge #53 - Cal Carson Road over Little Cicero Creek & Bridge #72 - 266th Street over Cicero Creek with Paul I. Cripe, Inc. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridge #208 Supplement Agreement No. 4:

Mr. Locke requested approval of Supplement Agreement No. 4, HCHD #E-99-0013, for Bridge #208, Field Drive over White River with Beam, Longest and Neff, LLC. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Hazel Dell Road Engineering Agreement:

Mr. Locke requested approval of Engineering Agreement, HCHD #E-01-0019, for Hazel Dell Road from 146th Street to 500' South of SR 32 with American Consulting, Inc. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridge #135 & #237 Engineering Agreement:

Mr. Locke requested approval of Engineering Agreement, HCHD #E-01-0017, for Bridge #135, River Avenue over Cicero Creek and Bridge #237, Deer Ridge Drive over Mitchner Ditch with Beam, Longest and Neff, LLC. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Temporary Right-of-Way, Olio Road Project:

Mr. Locke requested approval of the Release of Temporary Right-of-Way from the Olio Road Project Parcel 5, Richard F. Wallen & Lorraine G. Curran. The project is complete and there is no need for the temporary right-of-way. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Plat Approval: (Tape 1, #1270)

Brooks Manor:

Mr. Dennis Singer, Paul I. Cripe, Inc., requested approval of the plat for North Haven Subdivision. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bid Award:

Bridge #22 & #90 Asphalt Resurface:

Mr. Locke recommended the bid for Bridges #22 & #90 Asphalt Resurface be awarded to Rieth-Riley as the lowest responsive bidder. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Demolition of 14486 Durham Drive:

Mr. Locke stated the Highway Department received quotes for the demolition of the home at 14486 Durham Drive for the 146th Street/US 31 Ramps Project. Two quotes were received - 1) Rhino Trucking & Excavating - \$9,500.00 and 2) ABC Contractors, Inc. - \$16,245.00. Mr. Locke recommended the contract be awarded to Rhino Trucking & Excavating. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence:

Mr. Locke requested concurrence with the Traffic Study Correspondence. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Request to Advertise:

Seven Small Structures:

Mr. Locke requested permission to advertise for Seven Small Structures Replacement Project HCHD #PB - 99-0015, 1) Str. #0091-080, 169th Street over Hines Ditch. 2) Str. #0098-162, 186th Street over Michaels Ditch. 3) Str. #0418-120 Cammack Road over unnamed ditch. 4) Str. #1397-050, Oak Ridge Road over Springmill Village Drain. 5) Str. #1397-053, Oak Ridge Road over William Knight Ditch. 6) Str. #1891-141, Tollgate Road over Armstrong, Evans, Hall Ditch. 7) Str. #1891-142, Tollgate Road over Hodkins Drain. Bids will be opened on August 27, 2001. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

146th Street/US 31 Ramps Project - Phase I:

Mr. Locke requested permission to advertise for the 146th Street/US 31 Ramps Project, Phase I - from 364m (1200 ft.) South of 146th Street to 146th Street. Bids will be opened August 27, 2001. Clark motioned to approve. Dillinger seconded. Motion carried unanimously. Clark asked when the bids will be awarded? Mr. Locke stated probably the same day. Clark asked when would construction start? Mr. Jim Neal stated we anticipate starting construction immediately after Labor Day. It is a short section. Phase II would connect to US 431 and we are still working on the plans for Phase II. Clark asked if there is a target date? Mr. Neal stated the first phase should be open by the end of the year. The second phase depends on permitting. Mr. Howard stated Phase II will be a 2002 project. Clark asked if it will be done by the end of 2002? Mr. Neal stated barring any unforeseen problems with permits.

146th Street Project Update: (Tape 1, #1595)

Dillinger asked Mr. Neal to give an update on the 146th Street Project. Mr. Neal stated on the west end we are installing storm pipe west of Springmill and prepping that area to begin road construction. East of Springmill both lanes are paved and we are beginning to build the wall at Village Farms. Pavement removal continues further east on Contract #1. Contract #2 - a lot of areas are paved.

The south leg of Gray Road should be opened by Friday or Saturday. The north leg will then be closed. Just east, from Mitchner Ditch to Hazel Dell intersection, the westbound lanes are just about ready to be paved. East of Hazel Dell, pavement is down from the west end of that job to River Road. They are putting curbs on between Hazel Dell and Cherry Tree, which will take a few days. They have paved the first two rows on the north approach of River Road in preparation to shift traffic, probably next week. The bridge over White River - they are working on barrier walls which should be completed in two to three weeks. The intersection of Allisonville Road and 146th Street is being prepped for paving. The paving crew should begin later this week in the area at 146th Street and SR 37. Dillinger asked when will east of River Road be complete? Mr. Neal stated from Hazel Dell to SR 37 should be complete by the end of this year. Dillinger asked if there is anything we can do to make it sooner? Mr. Neal stated on that section they are working all the time. They did not have enough dirt ready to pave and the paving crew had to leave to go to another job site. When they do move back in there should be plenty of work to keep them on site for awhile. Dillinger asked if there is anything we can do to get them back quicker? Mr. Neal stated he does not know of anything. Dillinger stated it is discouraging when you see the roads just sitting and no one is paving. Mr. Locke stated at 146th and Allisonville they went to their third relocation of utilities. Mr. Neal stated several utilities had to be moved more than once. They relocated initially, they found areas that they were in conflict and they relocated again and the utilities did not get it right the second time. Dillinger asked if there is an inspector? Mr. Neal stated we have inspectors, but when they are doing relocations they find it in one area and then they have to relocate a longer section and without the whole area cut to grade it is hard to judge if they are in or out of the way. Mr. Locke stated we do not have full time inspections with utility crews, neither does the utility company that hires the sub-contractors. Dillinger asked if we are having this kind of problem, we should have inspectors. Mr. Locke stated we don't have a contract with those people. Mr. Howard stated the utility relocation sub-contractors follow the plan and don't listen to anybody unless they are the top people. Dillinger stated there should be something we can do over and beyond to get this thing moving along. Mr. Locke stated if you have unlimited funds, you possibly could. Mr. Neal stated within Contract #3 they are within their allowed time to complete the project. Mr. Locke stated this contract is the only one that is on time, the other two contracts because of utility and right-of-way issues, are approximately one year behind. Dillinger stated the congestion at 146th and Allisonville is huge, with the delayed light. Mr. Locke stated there will be an issue we will be discussing later to speed up 146th and Springmill. We could speed up 146th and Allisonville if you want to close Allisonville for a while. The studies say that people would rather you get in, totally inconvenience you, and get out. Dillinger asked if Fishers is closing Allisonville? Clark stated they are keeping one lane open. Dillinger stated he would like us to look to see what we could do different or where we could put pressure to speed this up. Mr. Locke stated they will look in to it. Mr. Neal stated Contract #2, Hazel Dell to Greyhound Pass, is due to be done in mid 2002. Mr. Neal stated we are trying to get four lanes substantially complete by the end of this year. Clark asked Mr. Neal where do Contracts #1 and #2 fall in the time line? Mr. Neal stated Contracts #1 and #2, because of utility delays, their completion date have been adjusted. Contract #1's completion date is November 30, 2001. Contract #2's completion date is mid or late June of 2002. Dillinger asked if there are penalties in the contracts? Mr. Locke stated yes, if they do not complete on time. Dillinger asked if we give them permission to move the deadline back, is it because of something we have done or something that is outside of their control or some standard you have monitored? Mr. Locke stated correct. These are calendar day contracts, the only time weather would be involved is if there would be a substantially worse year than normal. Second is utilities, that could be the utilities up-front not relocating or the utilities after you have opened the project who told you they were not there and you start grading and start running into things and you have to find out who owns the utilities and it will take them another six months to relocate, which basically shuts down the job. The third issue on this project, which we are trying to resolve by not letting projects in the future until we have it, is right-of-way issues. On Contract #2 we did not have right-of-way until August or September of last year and then the utilities could not get out until we had right-of-way and the utilities were not out of the way until February of this year and there are still issues. We can solve part of that by not letting projects until all of the right-of-way is in place. There almost needs to be a legislative issue regarding the utilities. Clark stated she received a letter from Cherry Tree residents, they are wondering when the intersection at 146th and Cherry Tree will be open? Mr. Neal stated that section was paved last week and they are working on the curbs this week and then they will move back in to finish paving. It should be open by the end of August. It will be available for school bus traffic by the time school opens.

Field Drive and Logan Street Bridges Update: (Tape 1, #2297)

Mr. Matt Knight stated Field Drive is getting close to being let. There are a couple of outstanding permits we are waiting for. The permit from IDEM for construction, Section 401 has been approved. We have received verbal notification, but have not received the paperwork. Construction in a floodway - everything has been submitted to DNR and we are waiting for their final sign-off. Mr. Knight stated he hopes to be requesting permission to advertise at the next meeting for a September letting. The other issue to be resolved is the relocation of Cinergy's power lines. We have talked to them and met with Noblesville and we are still working on that issue. Dillinger asked when is the anticipated completion date? Mr. Knight stated it will be a full year of construction, probably late in 2002 for completion. Mr. Locke stated the completion date is tied to the scheduled completion of SR 19. Mr. Howard stated INDOT will not be releasing that job until the next bid cycle. Mr. Knight stated we are close to having the final plans for Logan Street Bridge. We have not acquired any right-of-way, but we have met with the Schwartz's and don't foresee any problems acquiring the right-of-way we need from them. We should let the bid sometime in the next 2-3 months. We still need the DNR permit, which has been submitted. We have not received the permit from INDOT, but we have met with them and he sees no problem with that permit. There should not be any utility relocations.

Bridges #31 & #32, Springmill Road:

Clark asked Mr. Knight about Bridges #31 & #32 on Springmill Road? Mr. Knight stated all the parcels have been filed for condemnation and turned over to the County Attorney. Mr. Howard stated the hearing dates should be within the next 30 days. Clark asked if we will be able to get started this fall? Mr. Howard stated it will depend on the court appropriation. Clark asked if it will go to construction this year? Mr. Knight stated if we get right of entry pretty quickly we could, it would not get finished this fall, it would have to be over the winter and continue into the spring.

Dillinger asked the highway department to present an update on the major projects at least once a month.

Title Sheets:

Mr. Locke presented Title Sheets for the 146th Street/US 31 Ramps and Seven Small Structures Projects for signature.

Hazel Dell/Little Chicago Intersection:

Clark stated she saw that INDOT is letting bids for the intersection of Hazel Dell and Little Chicago Road. Clark asked Mr. Locke if he has any idea when that will be done? Mr. Locke stated they can't be going to letting because they don't have their plans done. They are going to use Noblesville's engineer to finish designing the project and the State is letting it. Clark stated she does not understand what we are waiting on and is there anything we can do to get that intersection built? Mr. Stevens stated they have had meetings with the State and Noblesville and worked out an agreement that Noblesville is the lead agency on the redesign of that intersection to accommodate the improvements that the County has plans for Hazel Dell and Little Chicago Road. Mr. Stevens stated the project listing from INDOT does not state what phase it is. Mr. Howard stated that is not "the" project. Mr. Stevens stated he will have to research it.

Resurface Contract 01-6, Various Roads in Delaware and Noblesville Townships:

Mr. Locke requested permission to advertise Resurface Project 01-6, various roads in Delaware and Noblesville Townships. That would be let August 13, 2001. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Bridge #34, 96th Street/Williams Creek:

Mr. Locke requested permission to advertise for Bridge #34 Rehabilitation, 96th Street over Williams Creek. The bid will be let August 13, 2001. Clark motioned to approve. Dillinger seconded. Motion carried unanimously. Mr. Locke presented the Title Sheet for signature.

Springmill Road/146th Street Closure: (Tape 1, #2957)

Mr. Jim Neal stated as we progress through this construction season and we have been looking at ways to keep traffic going through the 146th Street and Springmill Road intersection while building it, it has become apparent that it would be nearly impossible to do and complete the job this year. Mr. Neal has met with E&B Paving and Gradex and Floyd Burroughs and we have come up with a plan. We propose, in order to complete the intersection, two closures on Springmill. The initial closure will close the north leg of Springmill for 30 days. We will build that leg as well as the west bound lanes on 146th Street, west of Springmill. We would put temporary pavement on the south side to keep thru traffic going and the south leg of Springmill will stay open. Once this is complete we will switch to the next phase. Traffic on 146th Street will be switched to the new pavement and we will construct the east bound legs and the south leg. Each closure is 30 days for a total duration of 60 days. Mr. Larry Canterbury, E&B Paving, stated they are lying pipe right now and we will get the dirt ready as much as we can prior to shutting it down. Assuming we don't hit any relocated utilities we will be able to shut it down in a couple of weeks, it may be quicker than that. Our driving force is to get this job done this year. Dillinger stated we are going to start monitoring and pushing harder to get this project done. Mr. Canterbury stated the Highway Department does an extremely good job at monitoring the job. There is only so much you can do when you hit a utility. Dillinger stated there should be priority to the County when you need to bring the workers back, you bring them back. Mr. Canterbury stated E&B does that. Clark asked if 30 days is six weeks? Mr. Canterbury stated it is calendar days. Clark asked if the entire intersection would be closed, would it be closed for 30 days as opposed to 60 days? Mr. Canterbury stated no, there is more work. It would be 45 or more days. Clark asked what are the traffic counts on Springmill and 146th? Mr. Neal stated the traffic is evenly divided, 146th Street is 53% and Springmill is 47%. During peak hours Springmill is heavier. Clark asked if you close the entire intersection down, how quickly could you do it? Mr. Canterbury stated approximately 45 days, we have not looked at that. You will lose 146th Street. Clark stated she would rather shut the whole thing down. Springmill is virtually shut down for 60 days. Clark asked what would it be if you did not shut it down? Mr. Canterbury stated he does not know, it would not get done this year. The contract was originally bid to shut the whole intersection (Springmill Road) down for the duration of the contract. Clark asked we went in to a contract knowing we were shutting down some of these arterials? Mr. Neal stated in order to complete this leg. Clark asked what intersections did we allow to be closed? Mr. Neal stated Cherry Tree; Gray Road, one leg at a time; Carey Road, one leg at a time; and Springmill. Clark stated she would rather do 45 days instead of 60 days. Clark stated that still does not get us ready for school? Mr. Canterbury stated no. Dillinger asked Mr. Canterbury if he would rather have the 45 days? Mr. Canterbury stated he would. Mr. Neal stated it would allow them to work in a bigger area. Mr. Canterbury stated when we start digging in this intersection and hit utilities, he can not get it done in 45 days if they are not going to move it in an appropriate amount of time. Once it is totally closed, there is nothing any of us can do. Mr. Neal stated they are doing all their locators, but sometimes utilities get missed. Clark stated if you did not close down anything, how does that prolong the project? Mr. Locke stated you would be driving through barricades throughout the winter. Two lanes would be open. Mr. Canterbury stated it would push the job into next year. Clark asked Mr. Locke if a 45 day closure makes more sense than a 60 day? Mr. Locke stated if they say they can do it, it makes more sense. The issue is if a utility pops up. What may happen is that we may have to open it up with two lanes instead of four lanes. If we do that concurrently we are less likely to run into weather at the end of the second closure. Clark asked if this would close immediately? Mr. Canterbury stated Gradex will have to come up with a plan, we will have to advertise the closure, we will have to notify utilities, which will take at least a week before we can start. If we can get this done in mid-September, seed and sod through that area, and hopefully we can put surface down in mid-October, which is the final part of that project. We need to be putting surface down in mid-October to get it done. Clark motioned to allow you to close that intersection for 45 days, calendar days. Dillinger seconded. Motion carried unanimously.

Pebblebrook: (Tape 2, #278)

Clark thanked Jay Farrell for the work at Pebblebrook. Clark stated she was pleased with his work and so were the people.

96th Street & Mollenkopf and 106th Street & Mollenkopf:

Clark asked Mr. Locke about the intersections of 96th Street & Mollenkopf and 106th Street & Mollenkopf? She has received calls about real estate signs in right-of-way. Do we allow those in our right-of-way? Mr. Locke stated it depends on the size of the sign. If it is the big 4x8 signs, we go after them and ask them to remove them. If they are the single stick sign, unless they are a vision problem, we don't pursue them. Mr. Howard stated most of the zoning commissions have ordinances that regulate those signs. It could be in Noblesville or if it has been annexed it would be Fishers. Noblesville is more aggressive in enforcement of those issues. Mr. Howard suggested she direct these people to call the plan commission of Noblesville or Fishers.

Weeds Along Right-of-Way on 116th Street:

Clark stated she received a call regarding weeds in the right-of-way on 116th Street. Clark would like to see them cut, they are between the bike path and the curb, east of the bridge on 116th Street. Ms. Amy Rayle stated she wrote a work order today.

156th Street/Springmill Intersection:

Clark asked Mr. Chris Burt to bring information on the 156th Street and Springmill intersection for the next meeting.

Hamilton County Fair:

Dillinger stated while at the County Fair this week he received numerous compliments on the Highway Department, especially how the roads were repaved in Adams Township.

Ordinance 7-23-01-E, Amendment to Hamilton County Thoroughfare Plan:

Mr. Chuck Kiphart requested approval of Ordinance 7-23-01-E, Amendment to the Hamilton County Thoroughfare Plan concerning right-of-way and road alignment for Towne Road between 193rd Street and 166th Street; Springmill Road between 186th Street and 193rd Street; and Shelborne Road between north of 156th Street and north of SR 32. These plans had been previously approved the Hamilton County Board of Commissioners for submission to the Hamilton County Plan Commission for amendment to the Thoroughfare Plan. All three were passed with a positive vote of 7 out of 9. Clark motioned to approve. Ordinance 7-23-01-E, Amending the Hamilton County Comprehensive Plan. Dillinger seconded. Motion carried unanimously.

Treasurer's Retrofit Request:

Ms. Wilson stated due to the new equipment that has been installed with use for the MVP Tax System, she is requesting redesign of her counter. She has received a quote of \$9,272.00. This would provide better customer service. Part of this estimate incorporates a gate to prevent the public from coming behind the counter. Dillinger asked if she has met with any of the Commissioners to look at this? Ms. Wilson stated no. Dillinger stated he will have to be convinced, we retrofit and someone else wants a retrofit and so on. He has spent all the money he intends to spend on retrofits. He will try to take time to come in and talk to her about it.

Dillinger called a break. Dillinger called the meeting back to order at 2:45 pm.

Commissioner Committee Reports: (Tape 2, #585)

Probation Renovation:

Clark stated she received a request from Madonna Roach, Probation Director, asking to turn that

top conference room into an office. She has received a grant, which will help pay for the renovation. Clark motioned to approve the renovation of the Probation Conference Room into an office. Dillinger seconded. Motion carried unanimously.

Hamilton County Alliance Update:

Mr. Jeff Burt, Hamilton County Alliance, presented the Revised Public Entity Funding Formula and the Mid-Year Activity Report for the Hamilton County Alliance. Clark asked if the \$61,750.00 is generated by impact fees? Mr. Burt stated no, it is the total portion that the public sector puts into the Alliance. Clark asked where does the \$61,000.00 from the County come from? Mr. Burt stated that is from the General Funds. Mr. Howard stated the Economic Development Fee is \$50.00 per platted lot, which is something different. Clark stated from our County General Fund you are receiving over \$60,000.00? Mr. Burt stated at the present time we are receiving \$75,000.00. The new figure will be \$61,000.00. Clark asked when did you begin receiving money from the General Fund? Mr. Burt stated since 1992. There are three funding legs, one-third is the public sector funds, then there is the economic development service fee and then there is the private sector funds. Mr. Burt stated the plat fee creates \$140,000 to \$150,000 per year. The private sector funds are about \$130,000 to \$150,000.

Attorney: (Tape 2, #1005)

Ordinance 7-23-01-A, Creating the Hamilton County Traffic Safety Partnership Fund:

Mr. Howard presented Ordinance 7-23-01-A, Creating a Non-Reverting Fund for Hamilton County Traffic Safety Partnership. Clark motioned to suspend the rules for first reading of Ordinance 7-23-01-A. Dillinger seconded. Clark asked if this is handed down by the State? Mr. Howard stated yes. The Prosecutor is the only person who can approve claims from this fund. Clark asked if this will require hiring another person? Mr. Howard stated he has no knowledge that this would require hiring additional personnel. Motion carried unanimously. Clark motioned to approve Ordinance 7-23-01-A. Dillinger seconded. Motion carried unanimously. Clark stated for the record that we are not interested in hiring additional personnel, office, etc. to administer this fund.

Ordinance 7-23-01-B, Authorizing Establishment of Separate Grant Funds:

Mr. Howard presented Ordinance 7-23-01-B, Authorizing the Hamilton County Auditor to Establish Separate Grant Funds. Mr. Howard recommended first reading only. Ms. Mills has requested this ordinance be sent to the State Board of Accounts for their review before final passage. Clark motioned to approve first reading of Ordinance 7-23-01-B. Dillinger seconded. Motion carried unanimously.

Ordinance 7-23-01-C, Establishing the 96th Street-US 421 TIF Fund:

Mr. Howard presented Ordinance 7-23-01-C, Establishing the 96th Street-U.S. 421 Tax Increment Fund. Clark motioned to suspend the rules for first reading of Ordinance 7-23-01-C. Dillinger seconded. Motion carried unanimously. Clark motioned to approve Ordinance 7-23-01-C. Dillinger seconded. Motion carried unanimously.

Ordinance 7-23-01-D, Vacating Portion of Public Right-of-Way:

Mr. Howard presented Ordinance 7-23-01-D, Vacating a Portion of Dedicated Public Right-of-Way along Westfield Boulevard. Pursuant to State statute there must be a public hearing, which will be held at the next meeting. Clark motioned to approve first reading Ordinance 7-23-01-D. Dillinger seconded. Motion carried unanimously.

Liability Trust Claims:

Mr. Howard requested approval of Liability Trust Claims: 1) Baker & Daniels - \$1,458.50. 2) Michael A. Howard - \$4,475.00. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

106th Street & College:

Clark asked what is going on at 106th Street and College? Mr. Howard stated three of the four quadrants have gas stations that were gas stations long before there were underground storage tanks. Two of those sites are presently labeled as Leaking Underground Storage Tanks. There is a body shop and a former factory is there. There are a lot of environmental issues. Whatever compensation we pay to the landowner for right-of-way takes into consideration to the fact that the right-of-way is there. There are issues of if we detect something that is not there, what are our liabilities? Do we have liabilities to the landowner? There are issues regarding what we are going to do with our drainage. We requested outside consultants to do some investigating.

Recorder's Renovation Request:

Ms. Mary Clark, County Recorder, stated as part of her office she has four public access computers. She is requesting those computers be moved to the small room on the northwest corner on the third floor of the Historic Courthouse. Her books are already located in rooms connected to this small room. There are too many people waiting to use the computers on a daily basis, which creates too much noise and commotion in her office on a daily basis. Clark asked if they can alter any of the information? Ms. Clark stated no. Clark asked Mr. Swift if this would be paid out of the courthouse budget? Mr. Swift stated it probably should be. Clark asked if Ms. Clark has spoken with Scott Warner about this? Ms. Clark stated she has spoken to B.J. Casali first and then she spoke with Mr. Warner. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Auditor: (Tape 1, #2160)

Proposed 2002 Salary Statements:

Ms. Kim Rauch presented the 2002 Statement of Salaries and Wages Proposed to be Paid Officers and Employees according to IC36-2-5-4 to the Board of Commissioners.

Liability Trust Claim:

Ms. Rauch requested approval of a Liability Trust Claim to Steward-Richardson Associates for the Sheriff's Department in the amount of \$1,530.32. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board:

Ms. Rauch requested acceptance of Bonds/Letters of Credit for the Drainage Board. 1) HCDB #B01-0020 - Fidelity and Deposit Company of Maryland Performance Bond No. 08505135 for The Village of West Clay Sec. 5006 for erosion control and monumentation in the amount of \$66,375.00. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board:

Ms. Rauch requested release of Bonds/Letters of Credit for the Drainage Board. 1) HCDB #B00-011 - Frontier Insurance Company Subdivision Bond No. 154812 for Saddle Creek, Sec. 7, 8 and 9 - storm sewer, subsurface drain, erosion control and monuments in the amount of \$265,200.00. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Fall Creek Township Trustee Quarterly Poor Relief Report:

Ms. Rauch requested acceptance of the Fall Creek Township Trustee Quarterly Poor Relief Report. Clark motioned to accept. Dillinger seconded. Motion carried unanimously.

Noblesville Township Trustee Quarterly Poor Relief Report:

Ms. Rauch requested acceptance of the Noblesville Township Trustee Quarterly Poor Relief

Report. Clark motioned to accept. Dillinger seconded. Motion carried unanimously.

Vendor Claims:

Ms. Rauch requested approval of the Vendor Claims for this period to be paid tomorrow. Clark motioned to approve. Dillinger seconded. Motion carried unanimously.

Payroll Claim Signing:

Payroll Claims will be signed Monday, July 30, 2001 at 8:00 am in the Auditor's office.

Commissioners Agenda:

Dillinger stated people who are placed on the Commissioners agenda need to be told to be at the meeting one hour early or check in to see where we are in the meeting.

Biddle Drive:

Clark motioned to table the issue of Biddle Drive being changed back to South Drive until August 13, 2001. Dillinger seconded. Motion carried unanimously.

Administrative Assistant: (Tape 2, #2586)

Noblesville Main Street Request:

Mr. Fred Swift stated Noblesville Main Street will be placing a string of white Christmas lights on the roof lines of all the buildings around the downtown square. They would like to request the County's participation in the amount of \$1,000.00. This would include the lights and professional installation. Clark motioned to approve funding for purchase and installation of lights on our facilities in an amount not to exceed \$1,000. Dillinger seconded. Motion carried unanimously.

Clark motioned to adjourn the meeting. Dillinger seconded. Motion carried unanimously.

Commissioners Correspondence:

Pleasant Street Extension Letter from C.E. McGill

South Dr./Biddle Dr. Name Change Petition

Highway Salt Storage Barn Correspondence from American Timber Bridge:

July 8, 2001

July 9, 2001

INDOT Resolution Establishing Traffic Controls on SR 38 in Clarksville

INDOT List of Upcoming Projects withing the Greenfield District

DNR Warning of Noncompliance - Strawtown Avenue

City of Noblesville Notice of Public Hearing:

1805 South 10th Street

4-H Grounds July 2001 Calendar of Events

IDEM Sewer Permit Application:

Canal Place Subdivision, Sections 2, 3 & 4 - Noblesville

IDEM Notice of Appeal Rights:

Deer Path, Sections 7 & 8 - Noblesville

Riverwalk Commons - Noblesville

Whitcomb Ridge, Section 5 - Noblesville

South Harbour Commercial Park - Noblesville

Present:

Steven C. Dillinger, Commissioner

Sharon R. Clark, Commissioner

Kim Rauch, Executive Secretary to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Tom K. Stevens, Highway Director

Les Locke, Highway Engineer

Wayne A. Farley, Sheriff's Deputy

Amy Rayle, Highway Public Service Representative

Virginia Hughes, Administrative Assistant to Highway Engineer

Jim Neal, Highway Project Engineer

James Farrell, Highway Inspector

Steve Broermann, Highway Technical Engineer

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Matt Morasch, Transportation Development Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Faraz Hahn, Highway Department
Kate Lewis, Ledger
Sally Wilson, Treasurer
Dennis Singer, Brooks Manor Subdivision
Jerry Larrison, Beam, Longest & Neff
Becki Wise
Rhonda Lease, DLZ
Joel Thurman
Stu Hirsch, Indianapolis Star
Larry Canterbury, E&B Paving
Floyd Burroughs, Floyd Burroughs & Associates
Chuck Kiphart, Hamilton County Plan Commission
Jeff Burt, Hamilton County Alliance
Mary Clark, Hamilton County Recorder

APPROVED:

HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor